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1615

Docket No. JAB-1267

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Embrechts et al.

Serial No. : 09/403,056

Art Unit: 1615

Filed : October 13, 1999

Examiner: G.S. Kishore

For : COMPOSITIONS CONTAINING AN ANTIFUNGAL AND A
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26 January 2004
(Date of Deposit)

Michele G. Mangini
(Name of applicant, assignee, or Registered Representative)

M. G. Mangini
(Signature)

26 January 2004
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Supplemental to the Information Disclosure Statement filed
January 5, 2004, and pursuant to 37 C.F.R. §1.56, and in
accordance with 37 C.F.R. §§1.97-1.98, information relating to
the above-identified application is hereby disclosed.
Inclusion of information in this statement is not to be
construed as an admission that this information is material as
that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final

Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a) (2) (i)).

☐ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:


☒ Attached is a copy of a search report from related PCT Patent Application No. PCT/EP98/02143 (Atty. Docket JAB-1267 PCT) and related EPO Patent Application No. EP 97201101 (Atty. Docket JAB-1202 EPO), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to
Deposit Account No. 10-0750/JAB1267/MGM. This form is
submitted in triplicate.

Respectfully submitted,


Michele G. Mangini
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DATED: 26 January 2004

Page 1 of 1

Application Number	09/403,056
Filing Date	October 13, 1999
First Named Inventor	Embrechts et al.
Group Art Unit	1615
Examiner Name	Kishore, G.S.
Attorney Docket Number	JAB-1267

U.S. PATENT DOCUMENTS

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ant figures appear

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FOREIGN PATENT DOCUMENTS

[illegible]

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

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Filing Date	October 13, 1999
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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